

South Dakota Science and Technology Authority Board of Directors
Meeting Minutes
Thursday, June 24, 2021
Lead, South Dakota

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 8:05 AM Mountain Time (MT) on Thursday, June 24, 2021, in the Education and Outreach (E&O) Building Conference Room at the South Dakota Science and Technology Authority, 630 East Summit Street, Lead, South Dakota. To maintain physical distance due to the COVID-19 pandemic, cloth face masks were required for non-vaccinated participants, and a conference number was posted on the agenda with an invitation for members of the public to participate in the meeting by telephone.

MEMBERS OF THE BOARD IN ATTENDANCE

Vice Chairperson Dana Dykhouse (by phone)
Secretary/Treasurer Patricia Lebrun (by phone)
Mr. Roger Musick (by phone)
Chairperson Casey Peterson (in person)
Vice Chairperson Ron Wheeler (by phone)
Dr. Robert Wilson (by phone)

MEMBERS OF THE BOARD ABSENT

Dr. Ani Aprahamian
Dr. James Rankin, ex-officio

SDSTA STAFF PRESENT DURING ALL OR PART OF THE MEETING

Mr. Alan Brantley, IT Manager/Network Engineer (by phone)
Mr. Timm Comer, Environmental Manager (in person)
Mr. Tim Engel, General Counsel (in person)
Ms. Julie Ewing, ESH Director/Safety & Health Superintendent (in person)
Ms. Nancy Geary, Chief Financial Officer (in person)
Ms. Gina Gibson, SURF Artist-in-Residence Coordinator (in person)
Mr. Pete Girtz, ESH Deputy Director (in person)
Mr. Mike Headley, Executive Director (in person)
Dr. Jaret Heise, Science Director (in person)
Mr. Bill Kelly, Contracts & Procurement Manager (in person)
Ms. Mandy Knight, Administrative Services Manager (in person)
Mr. William McElroy, Deputy Director of Operations (in person)
Ms. Staci Miller, SURF Foundation Director (in person)
Mr. KC Russell, Cultural Diversity Coordinator (in person)
Ms. Constance Walter, Communications Director (in person)
Ms. Natasha Wheeler, Administrative Assistant (in person)
Ms. Deb Wolf, Education and Public Relations Director/IDEA Program Manager (in person)

ALSO PRESENT DURING ALL OR PART OF THE MEETING

Ms. Elizabeth Freer, dialogue LLC Principal and Owner (in person)

ITEM 1. CALL TO ORDER

Vice-Chair Ron Wheeler called the meeting to order at 8:05 AM (MT). Roll call was held. Mr. Dana Dykhouse, Ms. Pat Lebrun, Mr. Roger Musick, Mr. Ron Wheeler and Dr. Bob Wilson were present by phone. Dr. Ani Aprahamian and Dr. Jim Rankin were absent.

Mr. Wheeler asked guests to introduce themselves. Mr. Headley said several meeting guests were present at the meeting to represent their new roles at SDSTA. He introduced the Environment, Safety and Health (ESH) Director Ms. Julie Ewing, ESH Deputy Director Mr. Pete Girtz, Environmental Manager Mr. Timm Comer and IT Director Mr. Alan Brantley.

Mr. Wheeler said if anyone from the audience had any questions or comments for the board to address, to please complete the public comment form located at the sign-in table and time will be given at the end of the agenda to discuss. Ms. Knight confirmed no comment forms were submitted.

ITEM 2. APPROVE AGENDA

Mr. Wheeler asked if there were any modifications to the agenda. Mr. Engel said Agenda Item No. 11, Pollution Liability Insurance Renewal, need not be discussed. Mr. Wheeler asked for a motion to approve the agenda with Agenda Item No. 11 removed.

Motion by Mr. Dykhouse and seconded by Mr. Musick to approve the agenda as presented, but with Agenda Item No. 11 removed. Motion passed unanimously by roll call vote.

Chairperson Peterson arrived at 8:07 AM.

ITEM 3. APPROVE MINUTES

Chairperson Peterson asked for any comments on the March 25, 2021 Minutes. Hearing none, he asked for a motion to approve the minutes.

Motion by Mr. Musick and seconded by Mr. Wheeler to approve the March 25, 2021 minutes as presented. Motion passed unanimously by roll call vote.

ITEM 4. GENERAL CONFLICT OF INTEREST DISCLOSURE

SDSTA General Counsel Mr. Tim Engel invited members of the board to disclose anything that might be construed to be a conflict of interest with respect to items under consideration at today's meeting.

Mr. Engel said his law firm works with the Office of Risk Management of the State of South Dakota; therefore, he has not been involved in the negotiation of the FY2022 Intergovernmental Agreement, and will not participate in the discussion of the agreement, Agenda Item No. 15, in today's meeting.

No other conflicts of interest were disclosed.

ITEM 5. DISCLOSURES AND WAIVER UNDER SDCL CH. 3-23

Mr. Engel said he contacted all board members before the June 24, 2021, board meeting and asked them to make any disclosures required by SDCL CH. 3-23. He said no disclosures were reported. He also noted that annual disclosures concerning contracts with the state and political subdivisions will be due at the September 23, 2021, board meeting.

ITEM 6. SURF FOUNDATION

ITEM 6A. FOUNDATION STATUS UPDATE

Ms. Miller reiterated the four key areas of impact of the SURF Foundation – the SURF Institute, Inspiring Future Students, Beyond the Classroom – Into the Community, and United in One Space. Reviewing SURF Foundation goals, she said a one-year goal, by September 29, 2021, is to have the

scope of the SURF Institute defined, with a campaign outlined and a nationwide marketing plan launched. In the next three years, goals include having the full SURF Foundation board in place, the scope of the SURF Institute complete with a building campaign developed and a design underway, a completely funded and built ethnobotanical garden, and a full SURF and SURF Foundation national marketing campaign launched, resulting in a nationwide constituency. In the long term, Ms. Miller said the Foundation's goal is to have the SURF Institute fully constructed and operational with compelling, vibrant science and education programs by 2035.

Ms. Miller said the mission of the SURF Foundation is supporting the advancement of world class science and inspiring learning across generations. She said some of the major accomplishments in the last year include the following: the completion of the first half of the Sacred Circle Garden campaign, helping to support 250 teachers during the Education and Outreach (E&O) development program, helping to support eight interns in 2020 and seven interns in 2021, growing a constituent base from 14 to 75 donors in 12 months, providing STEM holiday backpacks to 145 K-12 students, achieving a Gold Seal of approval from GuideStar, and supporting the first-ever virtual Neutrino Day, which drew 4,813 views from 21 different countries in 2020. She said the SURF Foundation will also be supporting the upcoming 2021 Neutrino Day: Star Chronicles!

Ms. Miller introduced four new potential board members to the SURF Foundation Board, to be voted on in today's June 24, 2021, SDSTA Board Meeting (Agenda Item 6C). Ms. Miller recommended program development officer Beth Massa, biologist and lawyer Aurelia Skipwith, former Department of Energy Office of Science Director Chris Fall, and high-energy physics professor Bob Wilson. The four candidates were approved by the members of the SURF Foundation board at their June 9, 2021 meeting.

ITEM 6B. APPROVAL OF SURF FOUNDATION AMENDED BY-LAWS

After Staci Miller presented bios of the SURF Foundation slate of nominees, Mr. Engel said a proposed change to the SURF Foundation by-laws in section 2.3, would add a sentence to read, except for ex-officio members, board directors may serve more than one term. He said the existing language is not specific about term limits; the new language clarifies that there are no term limits. Mr. Engel recommended adoption of the change and noted it was approved at the June 9, 2021 SURF Foundation board meeting.

Motion by Ms. Lebrun and seconded by Mr. Musick to approve the amendment to the SURF Foundation By-Laws as presented. Motion passed unanimously by roll call vote.

ITEM 6C. SURF FOUNDATION BOARD MEMBER APPOINTMENTS

Chairperson Peterson asked for a motion to approve the appointment of the new SURF Foundation board members.

Motion by Mr. Dykhouse and seconded by Mr. Wheeler to approve appointment of new SURF Foundation board members Beth Massa, Aurelia Skipwith, Chris Fall and Bob Wilson, as presented. Motion passed unanimously by roll call vote. Dr. Wilson's vote was in favor of Ms. Massa, Dr. Skipwith, and Dr. Fall; Dr. Wilson abstained as to his own nomination.

ITEM 6D. INSTITUTE FOR UNDERGROUND SCIENCE AT SURF UPDATE

Ms. Elizabeth Freer, dialogue, LLC principal, shared the June 2021 Scoping Document Summary Report for the development of a science institute at SURF. She gave a brief overview of the process, with previously completed studies, the scoping study's working group, external reviewers, and an expected report completion date by the end of July 2021.

Ms. Freer described the vision of the institute, which includes a potential location in Lead, South Dakota adjacent to SURF, that would serve as a world-leading center for underground science, engage with the global science community, facilitate long-term planning across STEM-related disciplines, foster collaboration and integration with K-12 and public outreach learning opportunities, lead advancement of Inclusion, Diversity, Equity and Access (IDEA) in science and science education, and provide an exemplary visitor experience to encourage repeat participation.

Ms. Freer said recommendations for governance of the institute include the following: to establish the Institute as a part of SDSTA, to own its own mission statement as a separate entity from SURF operations, obtain funding by working with the nonprofit SURF Foundation, to have an executive director who reports directly to the SDSTA board, and staff members who report to the institute's executive director. Ms. Freer also made several other recommendations about governance and suggested specific programs that would be housed as appropriate under SURF operations or the institute.

Ms. Freer recommended several advisory committees to include in the project, along with a set of parameters for those committees, including to advise on international science strategy, science planning, IDEA concepts, and educational goals.

Ms. Freer emphasized the importance of IDEA in the development of the institute, as well as building a strong foundation for an intellectual community. She provided a brief overview of recommendations for a staffing approach to ensure support for a variety of operational departments; science program goals to include long-term community planning, professional development and diverse representation; to facilitate science interaction within the institute and its programs; E&O strategies to carry over from current programming; and facilities, including auditorium and meeting spaces, casual meeting areas, modern technology and guest housing.

Ms. Freer said her recommendations based on the results of the study include researching available options for the institute's location, funding opportunities to hire an institute director who can be involved in the development of the institute, and a strategic plan to define the full scope of the institute, including governance, the facility, programming and fundraising.

ITEM 7. AUDIT COMMITTEE

ITEM 7A. ANNUAL APPOINTMENT OF MEMBERS

Chairperson Peterson reported the appointment of Ms. Lebrun and Mr. Dykhous to continue to serve on the audit committee and commended their work in that role.

Motion by Ms. Lebrun and seconded by Mr. Wheeler to approve the appointment of audit committee members as presented. Motion passed unanimously by roll call vote.

ITEM 7B. AUDIT COMMITTEE UPDATE

Ms. Lebrun said she met with Mr. Dykhous and Ms. Geary on June 8, 2021 and discussed the Audit Charter. She also requested that Ms. Geary contact SD Legislative Auditor Mr. Al Schaefer to schedule the next audit with the intention it would be ready to submit to the board for review in December.

ITEM 7C. ANNUAL REVIEW OF AUDIT CHARTER

Ms. Lebrun referred to the SDSTA Audit Committee Charter in the board packet and said there is a requirement for the committee to review and update the charter annually. She said she met with Mr. Dykhous and Ms. Geary and upon review, found no changes to the charter are necessary. She said the committee agrees that the charter meets the needs of SDSTA.

ITEM 8. FINANCIAL REPORT

ITEM 8A. FINANCIAL SUMMARIES

Ms. Geary said there is currently an underrun for actual spending versus budget for the Cooperative Agreement (CA), but a plan is in place to spend those funds. She said two vehicles have been purchased for the SDSTA Operations Department, including one new and one used but in good condition. She said the Maintenance Support Facility is almost complete. The last invoice to close out construction with Dean Kurtz Construction has been received, but there is still additional outfitting to be completed, including a forklift and an air compressor. Mr. Headley said, due to long lead times on some materials due to COVID, SDSTA requested an extension, through the end of September, on spending for the second Future Fund grant that was awarded for the building; approval is pending.

Motion by Mr. Dykhouse and seconded by Mr. Musick to accept financial report as presented. Motion passed unanimously by roll call vote.

ITEM 8B. FY2022 BUDGET

Ms. Geary referred to the FY2022 budget included in the board packet and noted a few items that have changed categories to better reflect current uses of funds. She said compared to last year's budget, FY2022 includes a small decrease to the board of directors funding, an increase to the executive office funding, a slight increase to federal funding, and an increase in full time employee funding. Ms. Geary said CA funding is slightly lower, regular operations and Ross funding is higher, and Infrastructure Improvement Project funding is lower. She said there is a decreasing in funding for LZ, SIGMA-V has an insignificant change, Fermilab Ross logistics support is included but Ross rehabilitation work is expected to be done by the end of July, and Fermilab engineering support has decreased. Ms. Geary said MAJORANA, Thyssen Mining, and RESPEC are paying small leases to SDSTA, and CAT will pay SDSTA \$100,000.00 worth of support. Ms. Geary said there will also be a small increase in indirect costs.

Motion by Ms. Lebrun and seconded by Mr. Wheeler to approve FY2022 budget as presented. Motion passed unanimously by roll call vote.

ITEM 9. REPORT FROM EXECUTIVE DIRECTOR

ITEM 9A. DECLARATIONS OF SURPLUS (5)

Mr. Headley said five pieces of equipment will be surplus, which include an Aurora generator that is no longer safe to use, a Troll 9500 water sampler that is no longer used at the Waste Water Treatment Plant, a Greenlee Bros table saw that is no longer safe to use, a Spinpro 200gpm Seepex Pump and assembly that is no longer operable and is not cost effective to repair, and a Lull 54-foot telescopic forklift that is inoperable and not cost effective to repair.

ITEM 9B. SDSTA QUARTERLY UPDATE

Mr. Headley said SURF transitioned to minimal essential operations on March 25, 2020, due to the COVID pandemic but quickly returned to 24/7 surface and underground operations with safety controls in place. He said SURF has maintained sufficient personal protective equipment (PPE) supplies and is currently encouraging staff to get vaccinations, including the offer of a \$100 bonus to SDSTA staff who receive a full course of vaccine.

Mr. Headley said SDSTA support of LBNF construction is on track, including Ross Shaft refurbishment, upgrading and commissioning of the Ross hoists, transporting large equipment and materials underground in, or slung under, the Ross cage, and relocation of non-DUNE experiments located at the Ross 4850L. Mr. Headley said the SURF Operations CA between the DOE Office of

Science and SDSTA is in its second year of execution, with a strong relationship in place. He said infrastructure improvements are modernizing the facility and increasing the reliability to support construction and science, both now and in the future, including an update to Yates Complex waterlines. Mr. Headley said LZ dark matter experiment operations are scheduled to begin in mid-2021, with operations continuing for a five-year period.

Mr. Headley said a new ventilation borehole is being drilled to increase air flow for blasting and construction activities, as well as for heat regulation when keeping liquid argon, nitrogen, and xenon cold for experiments on the 4850L. He said the borehole will connect the 4850L with the 3650L, allowing air to ventilate through the Oro Hondo shaft, facilitated by the Oro Hondo fan, to the surface. Mr. Headley shared photos and a video model to illustrate how a raise bore machine operates to create the 12-foot diameter borehole.

Mr. Headley said the rock conveyor system is now operational and the first rock has been transported to the Open Cut. He said Ross hoist upgrades are also complete, including modernizing the 1930s controls that were previously in place, adding climate-controlled cabs at the operator stations, and updating to new motors and brakes.

Mr. Headley said the new 26,000 square-foot Operations Center (Maintenance Support Facility) was completed in May 2021, with the support of a \$6.5 million commitment from the state of South Dakota. He explained the facility includes a machine shop, warehouse area, and two floors of office space.

Mr. Headley said a recent economic impact study estimates a total impact from SURF-related spending of \$1.064 million between 2020 and 2029, and results of the study are being circulated as positive press throughout the state.

Chairperson Peterson asked about the upcoming determination for locating the next stages of MAJORANA, and Mr. Headley said SURF cannot currently offer enough space for the project within the project's timescale. He said this example along with current discussions about a third generation LZ project underscore the need to find funding to open additional underground space at SURF.

ITEM 9C. IDEA/E&O UPDATE

Ms. Wolf said describing and defining the level of engagement at SURF is a top priority of the IDEA office. She said a company called Culture Amp has been contracted to survey, analyze, and make recommendations about the current company culture at SURF, and SDSTA will also be partnering with SD Established Program to Stimulate Competitive Research (EPSCoR) to recognize opportunities for improved leadership and culture practices.

Ms. Wolf said the IDEA Office has been supporting the Communications Department and the SURF Foundation to develop the messaging for the Sacred Circle Garden.

Ms. Wolf said there have been several changes in the E&O team, including her own transition to Education and Public Relations Director and IDEA Program Manager, Ms. Nicole Reiner's transition to the E&O Director position, the resignation of science specialist Dr. Becky Bundy, and the hiring of two new science specialists - former chemistry and physics teacher Mr. Chad Ronish and former middle school science teacher Ms. Ashley Armstrong. Ms. Wolf said over 50% of the E&O team has turned over in the past three months, and she's looking forward to seeing where the new team goes.

Ms. Wolf said in May, some face-to-face interactions were able to return to E&O, including a visit from a group of fourth graders from an Oklahoma STEM elementary school and students from the American Indian Services summer camp. She said the creation of virtual field trips created during the pandemic has allowed for additional, equitable access to materials and the E&O team and educators are becoming

more comfortable with virtual learning opportunities. She made mention of the efforts of the E&O team and congratulated them for the work they have accomplished in the last year.

Ms. Wolf said supporting teachers has been a big initiative for the E&O team for the past several years, and in the last year highlights include the SDMath/SDSci program, training with SD EPSCoR and the 3DPD program which combined virtual and face-to-face training.

Ms. Wolf said nine summer interns are at SURF this year, with seven of them supported by SURF and the SURF Foundation and two supported by SD EPSCoR. She said 13 Davis-Bahcall scholars will arrive for an abbreviated program on July 3.

Ms. Wolf said the Communications team has faced challenges over the past year, but successes included: hosting 20 speakers through Deep Talks, creating messaging for the ethnobotanical garden, creating updated content for the Sanford Lab Homestake Visitor Center and promoting SURF's economic impact study.

Ms. Wolf said Neutrino Day will be hosted virtually on July 9 and 10, with keynote speaker Annette Lee, who will address indigenous astronomy and the practice of combining perspectives.

Ms. Wolf closed by thanking the board for their continued support for education, public outreach and the work of the IDEA Office.

ITEM 9D. SURF ARTIST-IN-RESIDENCE UPDATE

Ms. Gibson, the first Artist-in-Residence (AiR) at SURF in 2019, said she had a unique experience due to COVID, which made her change the way she was thinking as an artist. She said SDSTA is hosting a reception and exhibition at the Lead/Deadwood Arts Center, July 8 from 5:00 – 6:30 PM, featuring new previously shared art, including over 10 presentations, interviews, exhibitions and the SD Governor's 9th Biennial Art Exhibition, a competitive, juried and traveling exhibition.

Ms. Gibson is now the AiR Coordinator, and she said the AiR program is a partnership between SURF and Black Hills State University (BHSU); she is also a professor of graphic design. She said a call to artist netted 20 applicants, from all over the world, representing many different kinds of art. She said a committee of SURF and area arts leaders reviewed and ranked the applications and made their recommendations to Mr. Headley. Ms. Gibson said the chosen artist for the 2021 SURF AiR program is Ms. Lee Kang, an assistant professor at Idaho State University who has an MFA from the Rhode Island School of Design, along with coursework from Brown University, Columbia University and Seoul National University. She said Ms. Kang is a multi-media artist with an international exhibition record.

Ms. Gibson said Ms. Kang has already had guided tours of underground and above-ground facilities at SURF and given guest lectures for SURF and BHSU. She said Ms. Kang is scheduled to present her SURF art exhibition in Fall 2021 at the Lead/Deadwood Arts Center, which will provide more community engagement and interest because her work is so unusual.

Motion by Mr. Dykhouse and seconded by Mr. Musick to accept the executive director's report as presented. Motion passed unanimously by roll call vote.

ITEM 10. CONVEYANCE OF REAL ESTATE TO CORRECT BOUNDARY

Mr. Engel said a small tract of land near the Ross hoistroom includes a privately-owned garage encroaching on SDSTA-owned property. It is believed the homeowner had an informal agreement with Homestake to use the property. A request was made to convey the property upon which the garage encroaches to the homeowner. He said SDSTA is proposing to use a quitclaim deed to convey the property, which means SDSTA will convey only the property rights it might own, but without guaranteeing it actually owns the property. Mr. Engel said Homestake was contacted, and no objection

was received, and he recommended the board authorize the signing of the quitclaim deed. Mr. Headley said the property lines are complicated by a road that was abandoned by the city and that the land in question is a small area that does not impact operations at SURF.

Motion by Ms. Lebrun and seconded by Mr. Musick to authorize the chairperson to sign the quitclaim deed as presented. Motion passed unanimously by roll call vote.

ITEM 11. PLACEHOLDER – POLLUTION LIABILITY INSURANCE RENEWAL

Materials were not yet finalized for the Pollution Liability Insurance discussion and Item 11 was removed from the June 24, 2021 board meeting agenda.

ITEM 12. SDSTA POLICIES AND PROCEDURES

ITEM 12A. ANNUAL REVIEW OF P&P

Mr. Headley said the policy regarding drug and alcohol use has been updated to reflect recent changes to state law allowing for the medical use of marijuana. Mr. Engel said the new medical marijuana law states an employer cannot discriminate against a person for the legal use of medical marijuana, but any employer can prohibit use and possession at the workplace and can prohibit employees from being under the influence of marijuana while on site. If the employer is subject to a federal law that requires a drug-free workplace, the non-discrimination restrictions on employers do not apply. Mr. Engel said SDSTA is subject to the federal drug-free workplace laws due to the CA, and the drug-free workplace laws require SDSTA to “encourage” a drug-free workplace and report workplace violations of the laws. Mr. Engel said his recommendation is to adopt a revision to the pre-employment screening provisions so they no longer disqualify a person from employment with a positive THC result, if that individual can prove they are approved for medical marijuana use, and a revision that says an employee’s positive results do not automatically warrant discipline. Mr. Engel said marijuana possession, and/or being impaired while at work are still prohibited by the updated SDSTA policy. Mr. Engel said future policy updates may be necessary as the current policy plays out and after the SD Supreme Court rules on recreational marijuana.

Motion by Mr. Wheeler and seconded by Ms. Lebrun to approve updated Alcohol, Controlled Substances and Testing Policy, Tobacco and Vape-free Policy and new Internal Fundraising and Outside Sponsorship Policy as presented. Motion passed unanimously by roll call vote.

ITEM 12B. ANNUAL STATEMENTS AFFIRMING COMPLIANCE WITH FINANCIAL CONFLICT OF INTEREST POLICY

Mr. Engel asked the board if everyone has signed their annual Conflict of Interest form. Ms. Knight said that all board members have received the forms and she will collect the signed forms from each board member.

Mr. Dykhouse left the meeting at 10:02 AM.

ITEM 13. EXECUTIVE SESSION

Motion by Mr. Musick and seconded by Mr. Wheeler to enter into executive session to discuss personnel matters and to consult with legal counsel concerning legal and contractual matters as permitted by SDCL 1-25-2(1), (3) and (4). Motion passed unanimously by roll call vote.

The board recessed at 10:02 AM for a ten-minute break followed by executive session.

The board reconvened in open session at 10:47 AM.

ITEM 14. REPORT FROM EXECUTIVE SESSION

Chairperson Peterson reported that the board discussed contractual matters and consulted with legal counsel concerning legal and contractual matters. No action was taken.

Motion by Ms. Lebrun and seconded by Mr. Wheeler to approve the executive session report. Motion passed unanimously by roll call vote.

ITEM 15. APPROVAL OF FY2022 OFFICE OF RISK MANAGEMENT INTERGOVERNMENTAL AGREEMENT

Mr. Headley said SDSTA has an agreement with the Office of Risk Management for the annual update to the Intergovernmental Agreement and is presented in the board packet. He requested approval to sign the agreement. Mr. Engel did not participate in the discussion of the agreement.

Motion by Mr. Musick and seconded by Ms. Lebrun to approve FY2022 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize SDSTA executive director to sign agreement. Motion passed unanimously by roll call vote.

ITEM 16. APPROVAL OF SUPPLEMENT No. 4 TO LBNF TCE AGREEMENT

Mr. Headley said SDSTA committed to allocating two parking spaces to a homeowner who lives next to the Ross gate as Homestake had previously done. Without the easement, access to the home is problematic. The easement in favor of the homeowner is not clearly excluded from the temporary construction easement with DOE. He said the proposed amendment makes it clear the area covered by the homeowner easement is not included in the temporary construction easement.

Motion by Mr. Wheeler and seconded by Mr. Musick to approve amendment to the LBNF Temporary Construction Easement and authorize the chairperson to sign Supplemental Agreement No. 4. Motion passed by unanimous roll call vote.

ITEM 17. REPORT FROM NOMINATING COMMITTEE

Mr. Musick said he and Mr. Dykhouse discussed nominations as presented by their Nominating Committee Report, included in the board packet. He said the nominations include: Mr. Casey Peterson as chairperson, Mr. Dana Dykhouse as vice-chairperson, and Ms. Pat Lebrun as secretary/treasurer. Mr. Peterson asked for additional nominations and none were made.

ITEM 18. ELECTION OF OFFICERS

Chairperson Peterson called for a motion to elect the slate of officers recommended by the nominating committee.

Motion by Mr. Wheeler and seconded by Dr. Wilson to elect Casey Peterson as Chairperson, Dana Dykhouse as Vice Chairperson, and Patricia Lebrun as Secretary/Treasurer. Motion passed unanimously by roll call vote.

ITEM 19. CONFIRM DATE AND TIME OF NEXT MEETING

Chairperson Peterson reminded the board of the next meeting, scheduled for Thursday, September 23, 2021 at 8:00 AM (MT) in the E&O Conference room and via Zoom.

ITEM 20. PUBLIC COMMENTS

Chairperson Peterson said he did not receive any public comment request forms and there were no questions from the audience.

ITEM 21. BOARD COMMENTS

Ms. Lebrun complimented Mr. Headley and Ms. Walter for the fine editorials in the Rapid City Journal and other publications throughout the state.

Mr. Musick said it was a good meeting, it's great to see everything that's happening, and the work over the last two to three years is starting to become more visible.

Mr. Wheeler said Mr. Headley and his team are doing a great job.

Dr. Wilson thanked the board for support on his position as a new board member of the SURF Foundation. He and his son visited SURF in mid-June and drove his electric car, and they had a great time visiting. Dr. Wilson acknowledged the great work done on the scoping document and made note of the clean writing presented in Ms. Freer's scoping report.

Chairperson Peterson reminded members of the board to respond to Ms. Freer's report by July 2, per her email, as needed.

Mr. Headley thanked Ms. Knight and Ms. Wheeler for their assistance with the board meeting, all the staff and the employees who spoke at the meeting, and the board for their confidence in the team and their partnership.

Chairperson Peterson said it was an excellent meeting and he appreciates the team's efforts from the bottom up. He wished everyone a great 4th of July.

ITEM 22. ADJOURN

Chairperson Peterson called for a motion to adjourn.

Motion by Mr. Musick and seconded by Ms. Lebrun to adjourn. Motion passed unanimously by roll call vote.

Meeting adjourned at 11:00 AM (MT) on June 24, 2021.